

**4VAC15-90-293. Game: Deer: Unauthorized Cervid Parts, Excretions, and Carcass Importation, Movement, Possession, and Use.**

**Summary:**

The proposal is to (i) prohibit the importation of cervid carcasses and certain high-risk carcass parts from outside of Virginia, (ii) clarify whose name should be recorded on legally imported carcass parts, and (iii) replace “disease containment area” with “disease management area,” and (iv) allow designees of the Department or other government agencies to transport carcasses to address disease investigation or management needs.

**Proposed language of amendment:**

**4VAC15-90-293. Unauthorized Cervid Parts, Excretions, and Carcass Importation, Movement, Possession, and Use.**

A. For the purposes of this section and in 4VAC15-40-285 and 4VAC15-90-294:

"Cervid" means any member of the deer family Cervidae, including but not limited to white-tailed deer, fallow deer, sika deer, elk, and reindeer.

B. For the purpose of this section:

“Import” means to transport any carcass or carcass parts, other than those outlined in subsection C, into the Commonwealth in such a manner that the carcass or carcass parts are removed from their place of storage within a vehicle or other conveyance and placed or deposited in the Commonwealth. Further, deer harvested on properties which span the Commonwealth’s boundary with an adjoining state shall not be considered imported.

~~B.C.~~ No person shall import or possess any carcass or part of a carcass of any member of the family Cervidae (deer) originating ~~from an enclosure intended to confine deer or elk or from any area designated by the department as a carcass restriction zone~~ outside of the Commonwealth, except that the following carcass parts may be imported and possessed:

1. Boned-out meat that is cut and wrapped;
2. Quarters or other portions of meat with no part of the spinal column or skull attached;
3. Hides or capes with no skull attached;
4. Clean (no meat or tissue attached) skulls or skull plates with or without antlers attached;
5. Antlers (with no meat or tissue attached);
6. Upper canine teeth (buglers, whistlers, or ivories); and
7. Finished taxidermy products.

A legible label shall be affixed to packages or containers containing the allowed carcass parts bearing the following information: the species of animal, the state or province from where the animal originated, and the name and address of the person who either killed or owned the animal possesses the allowed parts in Virginia.

~~C.D.~~ Any person who imports into Virginia any deer carcass or parts described in subsection A of this section and is notified that the animal has tested positive for Chronic Wasting Disease must report the test results to the department within 72 hours of receiving the notification. In order to facilitate the proper disposal of any infected material, the department may take into possession any imported carcass or carcass part of an animal if the animal has tested positive for Chronic Wasting Disease.

~~D.E.~~ No person shall transport any carcass or part of a carcass of any cervid out of any area designated by the department as a disease ~~containment~~ management area, except that the carcass parts enumerated in subsection ~~BC~~ of this section may be transported, and carcasses or parts may be transported directly to

41 locations designated by the department, provided that such carcasses or parts are transported without  
42 unnecessary delay and secured within a vehicle or vehicles during transit. Provisions of this section shall  
43 not apply to employees of the department or another government agency, or their designees, working in  
44 an official disease investigation or management capacity.  
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46 ~~E-F.~~ No person shall for the purposes of taking or attempting to take, attracting, or scouting any wild  
47 animal in Virginia possess or use any substance or material that contains or purports to contain any  
48 excretion collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid  
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### **Rationale:**

The intent of this proposal is to prevent cervid carcasses infected with Chronic Wasting Disease (CWD) from being imported into Virginia from states that are unaware that the disease is present within their borders. Recent events in several states suggest that CWD may be present on the landscape for many years before detection. With no import restrictions in place for states that have not detected the disease, Virginia is vulnerable to the potential importation of contaminated carcasses into areas of the Commonwealth not yet affected by CWD. The risk of importing a potentially infected cervid from a state that has not diagnosed CWD is substantial, as 24 states and seven Canadian provinces have not yet documented the disease within their borders. At least nine states and three Canadian provinces have already adopted a similar total carcass importation ban.

The proposal also addresses the fact that a hunter who harvests a cervid in another state may choose not to keep all of the parts and may not even live in Virginia. Allowing the individual in Virginia who possesses the parts or venison to record his or her name on the packages allows for easy trace back and reduces confusion as to who the “owner” of the cervid parts may be.

Several other regulations, including 4VAC15-20-220 and 4VAC15-90-294, refer to “areas designated by the department for disease management” and the “delineation of wildlife management.....areas”. The replacement of “disease containment area” with “disease management area” provides more consistent language between the various regulations that pertain to cervid diseases. These other regulations also refer to both disease “investigation” and disease “management” actions; therefore, broadening the capacities for employees of the department, other government agencies, or their designees to transport carcasses is appropriate. In some cases, local and state agencies contract with the private sector (e.g., solid waste transport, road-kill removal), necessitating the addition of “designees” to the list of individuals able to transport carcasses to address disease management needs.